



CLEVELAND MUNICIPAL COURT

Office of the Clerk of Court

Earle B. Turner

Justice Center • Level Two

1200 Ontario Street • Cleveland, Ohio 44113-1669

CIVIL DIVISION

THE STATE OF OHIO  
CUYAHOGA COUNTY} SS

SUMMONS IN CIVIL ACTION

2021 CVF 003034

PLAINTIFF

GEORGE MCCALL

-VS-

DEFENDANT

US DEPT HOMELAND SECURITY CLAIMS MANAGEMENT BRANCH

You have been named defendant (s) in a complaint filed in Cleveland Municipal Court, Level Two, Justice Center, 1200 Ontario, Cleveland, Ohio 44113 by

Plaintiff (s):

GEORGE MCCALL

A copy of the complaint is attached hereto. The name and address of plaintiff's attorney is below

ANTHONY BAKER ESQ.  
5320 HOAG DRIVE, SUITE B  
ELYRIA, OH 44035

You must file an *ANSWER* to this complaint within 28 days after this summons is served on you. A copy of your answer must be served upon the attorney for the person who is suing you, who is called the plaintiff, or upon the plaintiff himself, if he has no attorney of record.

Your original answer must be filed with the Court within three days after service of the answer on the plaintiff's attorney.

If you fail to defend yourself against this complaint, *DEFAULT JUDGMENT* can be rendered against you for the relief demanded in the complaint. Your *EARNINGS MAY THEN BE GARNISHED*, or your property may be attached to satisfy the judgment.

EARLE B. TURNER, CLERK  
CLEVELAND MUNICIPAL COURT

*Pauline Constantine*

P. CONSTANTINE, Deputy Clerk  
March 18, 2021

GOVERNMENT  
EXHIBIT

A

2021 CVF 003034  
US DEPT HOMELAND SECURITY  
CLAIMS MANAGEMENT BRANCH  
601 S 12TH STREET TSA 9  
ARLINGTON, VA 20598

CVSUMMACT

IN THE CLEVELAND MUNICIPAL COURT  
CIVIL DIVISION

*Cuyahoga* COUNTY, OHIO

21 CVF

003034

GEORGE MCCALL  
4519 BRIARWOOD DRIVE  
LORAIN, OHIO 44053

CASE NO.

JUDGE:

Plaintiff

VS

FRONTIER AIRLINES, INC  
5300 RIVERSIDE DRIVE  
CLEVELAND, OHIO 44135

COMPLAINT FOR  
CONVERSION, INTENTIONAL  
INFLICTION OF EMOTIONAL  
DISTRESS AND THEFT (R.C. 2307.61)

AND

FRONTIER AIRLINES, INC  
C/O CORPORATION SERVICE COMPANY  
50 WEST BROAD STREET – SUITE 1330  
COLUMBUS, OHIO 43215

AND

TSA – US DEPT. HOMELAND SECURITY  
5300 RIVERSIDE DRIVE  
CLEVELAND, OHIO 44135

AND

U.S. DEPT. OF HOMELAND SECURITY  
CLAIMS MANAGEMENT BRANCH  
601 S. 12<sup>TH</sup> STREET – TSA-9  
ARLINGTON, VIRGINIA 20598

Defendants

NOW COMES Plaintiff, by and through counsel, and for his Complaint against

Defendants, captioned above (hereafter “Defendants”), hereby states and avers as follows:

Facts

1. Plaintiff is a life-long resident of the State of Ohio and the County of Lorain.
2. The offense that gave rise to this action occurred in the City of Cleveland and County of Cuyahoga.
3. The amount in controversy is less than \$15,000.00
4. Jurisdiction and venue are proper.
5. Plaintiff traveled from Cleveland to Las Vegas on Frontier Airlines on or about October 2, 2020.
6. Plaintiff makes several trips to Las Vegas each year and has done this for the past 20 years.
7. Plaintiff placed (packed) \$10,000.00 in his luggage before departing from Cleveland.
8. When Plaintiff arrived in Las Vegas, he discovered that the money was missing.
9. Plaintiff also found a note / receipt from TSA that confirmed his luggage had been inspected by the Agency.
10. Plaintiff contacted Defendants while in Las Vegas and filed a police report when he returned to Cleveland.
11. Plaintiff made a formal claim / demand to Defendants on or about December 9, 2020 requesting the return of his money.

**Count One – Replevin**

12. Plaintiff re-avers and re-alleges each and every allegation contained in the foregoing paragraphs, as if fully rewritten herein.
13. Plaintiff is the owner of the luggage and the personal property, including the money (\$10,000.00) that was contained inside his luggage.

14. At all times relevant herein, Defendants were aware of the ownership rights of Plaintiff with regard to his luggage and the contents therein. Defendants were also aware of their limited authority to inspect Plaintiff's personal property.
15. Defendants intentionally withheld, converted, stole and / or removed Plaintiff's property without a lawful excuse and with full knowledge that the property (money) belonged to Plaintiff.
16. Plaintiff made the appropriate demand for the return of his property; Defendants wrongfully retained possession of said money and / or denied liability for Plaintiff's loss.
17. As a direct and proximate result of Defendants' actions, Plaintiff is entitled to a money judgment for the personal property (money) not returned to him in an amount equal to the actual value of the property, to wit: \$10,000.00; consequential damages; punitive damages; interest and all costs and expenses of this action, including reasonable attorney fees.

**Count Two – Conversion**

18. Plaintiff re-avers and re-alleges each and every allegation contained in the foregoing paragraphs, as if fully rewritten herein.
19. Plaintiff was the owner of the luggage and the personal property, including the money (\$10,000.00) contained inside his luggage.
20. At all times relevant herein, Defendants were aware of the ownership rights of Plaintiff with regard to his luggage and the contents therein. Defendants were also aware of their limited authority to inspect Plaintiff's personal property.

21. Defendants intentionally withheld, stole and / or removed Plaintiff's property without a lawful excuse and with full knowledge that the property (money) belonged to Plaintiff.
22. Plaintiff made the appropriate demand for the return of his property; Defendants wrongfully retained possession of said money and / or denied liability for Plaintiff's loss.
23. As a direct and proximate result of Defendants' conversion, Plaintiff is entitled to a money judgment for the personal property (money) not returned to him in an amount equal to the actual value of the property, to wit: \$10,000.00; consequential damages; punitive damages; interest and all costs and expenses of this action, including reasonable attorney fees.

**Count Three – Theft**

24. Plaintiff re-avers and re-alleges each and every allegation contained in the foregoing paragraphs, as if fully rewritten herein.
25. Plaintiff was the owner of the luggage and the personal property, including the money (\$10,000.00) contained inside his luggage.
26. At all times relevant herein, Defendants were aware of the ownership rights of Plaintiff with regard to his luggage and the contents therein. Defendants were also aware of their limited authority to inspect Plaintiff's personal property.
27. Defendants intentionally withheld, dispossessed, stole and / or permanently removed Plaintiff's property without a lawful excuse and with full knowledge that the property (money) belonged to Plaintiff.
28. Plaintiff made the appropriate demand for the return of his property. Defendants have denied liability for Plaintiff's loss.

29. As a direct and proximate result of Defendants' theft, Plaintiff is entitled to a money judgment for the personal property (money) not returned to him in an amount equal to the actual value of the property, to wit: \$10,000.00; consequential damages; punitive damages; interest and all costs and expenses of this action, including reasonable attorney fees.

**Count Five – Intentional Infliction of Emotional Distress**

30. Plaintiff re-avers and re-alleges each and every allegation contained in the foregoing paragraphs, as if fully rewritten herein.

31. Defendants' business tactics and blatant lack of concern for its customers were extreme and outrageous as Defendants fraudulently justified retaining Plaintiff's property and undertook business policies that shield them from liability.

32. Defendant's self-serving and irresponsible business practices allowed them and / or their employees to profit from Plaintiff's loss.

33. Plaintiff has suffered and will continue to suffer severe emotional damage as a direct result of the extreme, reckless and intentional acts of Defendants.

34. As a direct and proximate result of Defendants' actions, Plaintiff is entitled to a money judgment for the personal property (money) not returned to him in an amount equal to the actual value of the property, to wit: \$10,000.00; consequential damages; punitive damages; interest and all costs and expenses of this action, including reasonable attorney fees.

**WHEREFORE**, Plaintiff hereby demands judgment in his favor and against Defendants; additionally Plaintiff seeks a judgment for compensatory damages, punitive damages,

consequential damages, interest, attorney fees and court costs in the amount not to exceed \$15,000.00.

**Exhibits**

- TSA & Frontier Airlines Inc. demand letters
- TSA response to Plaintiff's initial complaint
- Cleveland Police Report

Respectfully submitted,



Anthony Baker, Esquire (#0084620)  
Attorney for Plaintiff  
5425 Detroit Road – Suite 10  
Sheffield, Ohio 44054  
Tel (440) 596 – 9876  
Fax (440) 934 – 0712  
Email [bakera5.tony@yahoo.com](mailto:bakera5.tony@yahoo.com)

**CERTIFICATE OF SERVICE / SERVICE INSTRUCTIONS**

CLERK, please serve a true copy of the forgoing Complaint, Exhibits, Summons and any / all other case-related documents upon Defendants by Certified US Mail to the afore-captioned addressed.

**THE LAW OFFICE OF ANTHONY BAKER**

5425 Detroit Road – 10  
Sheffield, Ohio 44054  
Tel 440.596.9876  
Fax 440.934.0712

December 9, 2020

Regarding: George McCall's Claim - Demand Letter

Dear TSA:

I have been retained by George McCall to assist with this matter. Ideally, we can resolve our differences without involving the court.

Mr. McCall traveled from Cleveland to Las Vegas on Frontier Airlines on or about October 2, 2020. Mr. McCall makes several trips each year to Las Vegas, and has done this for the past 20 years.

Ten Thousand Dollars was stolen from his luggage. Upon discovering the theft of his money (in Las Vegas), Mr. McCall contacted Frontier Airlines and TSA. I have included a copy of the police report and a copy of my preliminary Complaint for your review.

Simply stated, Mr. McCall demands / requests the return of his money forthwith. Please contact my office with any questions or concerns.

Respectfully yours,

Anthony Baker



**THE LAW OFFICE OF ANTHONY BAKER**

5425 Detroit Road – 10  
Sheffield, Ohio 44054  
Tel 440.596.9876  
Fax 440.934.0712

December 9, 2020

Regarding: George McCall's Claim - Demand Letter

Dear Frontier Airline:

I have been retained by George McCall to assist with this matter. Ideally, we can resolve our differences without involving the court.

Mr. McCall traveled from Cleveland to Las Vegas on Frontier Airlines on or about October 2, 2020. Mr. McCall makes several trips each year to Las Vegas, and has done this for the past 20 years.

Ten Thousand Dollars was stolen from his luggage. Upon discovering the theft of his money (in Las Vegas), Mr. McCall contacted Frontier Airlines and TSA. I have included a copy of the police report and a copy of my preliminary Complaint for your review.

Simply stated, Mr. McCall demands / requests the return of his money forthwith. Please contact my office with any questions or concerns.

Respectfully yours,

Anthony Baker



7196 9005 8630 0316 4680

U.S. Department of Homeland Security  
Claims Management Branch  
601 S. 12<sup>th</sup> Street, TSA-9  
Arlington, VA 20598-6009

November 23, 2020

George McCall  
4519 Briarwood Drive  
Lorian OH 44052  
United States



Transportation  
Security  
Administration

Re: TSA Control No.: 2020110969383

Dear George McCall:

This constitutes final administrative action on your claim against the United States under the Federal Tort Claims Act based upon the alleged negligent or wrongful acts or omissions of Transportation Security Administration (TSA) personnel.

Your claim is denied. After careful evaluation of all the evidence, we have determined that there are no legally sustainable grounds upon which a finding of liability can be based on the part of TSA.

If you are dissatisfied with the action taken on your claim, you may file suit in an appropriate U.S. District Court not later than six months after the date this letter was mailed. This information is not intended to imply that any such suit would be successful.

Should you have any questions, please address them to the Claims Management Branch. We may be reached at (571) 227-1300 or by email at [TSAClaimsOffice@tsa.dhs.gov](mailto:TSAClaimsOffice@tsa.dhs.gov).

Yours sincerely,

Kimberly Davis  
Assistant Director  
Management Services and Claims  
Financial Management Division



## Cleveland Division of Police Detail

Print Date/Time: 11/26/2020 11:58  
 Login ID: butlersh  
 Case Number: 2020-00321675

ORI Number: Cleveland Division of Police  
 OHCLP0000

### Case Details:

Case Number:	2020-00321675	Incident Type:	Grand Theft
Location:	5300 RIVERSIDE DR Cleveland, OH 44135	Occured From:	10/02/2020 23:59
		Occured Thru:	10/06/2020 06:00
		Reported Date:	10/11/2020 14:58 Sunday
Reporting Officer ID:	1030-Rodriguez	Status:	Open/Active
		Status Date:	10/12/2020
Assigned Bureau:	District 1		

### Case Assignments:

Assigned Officer	Assignment Date/Time	Assignment Type	Assigned By Officer	Due Date/Time
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Associated Cases	Status	Assisting ORIs	Role
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Modus Operandi	Solvability Factors	Weight
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Total:

### Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	23H	2913.02	Theft	1



## Cleveland Division of Police Detail

Print Date/Time: 11/26/2020 11:58  
Login ID: butlersh  
Case Number: 2020-00321675

Cleveland Division of Police  
ORI Number: OHCLP0000

### Offense # 1

Group/ORI: State	Crime Code: 23H	Statute: 2913.02	Counts: 1	Attempt/ Commit Code: Committed
Description: Theft				Offense Date: 10/02/2020
NCIC Code: 2399	Scene Code: Transit Facility			Bias/Motivation: No Bias / Not Applicable
Offense Status: Open/Active	Status Date: 10/13/2020			Occupancy Code:
Arson Code:	Domestic Code: No			Child Abuse:
Gang Related: No	Aiding/Abetting:			Sub-Code:
# of Adults:	# of Juveniles:			IBR Seq. No: 1
Property Damage Amt.:	Abandoned Structure:			Household Status:
Domestic Circumstance:	Carjacking:			Premise Code:
Accosting Situation:	Hate Bias Indicator:			Prior Inv - Victim:
Gambling Motivated:	Order of Protection:			Cargo Theft: N
Prior Inv - Offender:	Anit-reproductive rights crime:			
Special Circumstances:	Precipitating Event:			

### Offender Suspected of Using

Alcohol: No  
Drugs: No  
Computer: No  
Aggravated Assault/ Homicide Circumstances #1:  
Aggravated Assault/ Homicide Remarks #1:  
Justifiable Homicide Circumstances :  
Method of Entry Type:  
Point of Entry:  
Method of Exit Type:  
Point of Exit:  
Direction of Travel:  
Counterfeit Type:

### Victim Suspected of Using

Alcohol: No  
Drugs: No  
Computer: No  
Aggravated Assault/ Homicide Circumstances #2:  
Aggravated Assault/ Homicide Remarks #2:  
Justifiable Homicide Code :  
Method of Entry :  
# of Premises Entered :  
Method of Exit :  
How Left Scene:  
Larceny Type: (H)All Other Larcenies  
Counterfeit Status:  
Counterfeit Amount:

### Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Reporting Person	1	Zahoor, Hassan	5300 RIVERSIDE DR	[REDACTED]	Unknown	Male	
Victim	1	McCall, George L	Cleveland, OH 44135 44519 BRIARWOOD DR Lorain, OH 44053	[REDACTED]	Black	Male	04/16/1969 51



## Cleveland Division of Police

### Detail

Print Date/Time: 11/26/2020 11:58  
 Login ID: butlersh  
 Case Number: 2020-00321675

ORI Number: Cleveland Division of Police  
 OHCLP0000

#### Subject # 1-Reporting Person

Primary: No	Race: Unknown	Sex: Male	Build:
Name: Zahoor, Hassan	Height:	Weight:	Age:
Address: 5300 RIVERSIDE DR	Eyes: Unknown	Hair: Unknown	State:
Cleveland OH 44135	SSN:	DVL #:	
Primary Phone: [REDACTED]	Resident Status: Unknown	Statement Type: Verbal	
Resident Type: Unknown	Date:	Custody Status:	
Disposition:			

#### Related Offenses

Group/ORI	Crime Code	Statute	Description
State	23H	2913.02	Theft

#### Related Weapons

#### Victim/Offender Relationship

Transported By:	Extent of Injury:	Hospital:
Domestic Violence:	Domestic Violence Referrals:	Federal Agencies Involved:
Condition:	Medical Treatment:	

#### Missing Person Information

#### Subject # 1-Victim

Primary: Yes	Victim Type: Individual	
Name: McCall, George L	Race: Black	Sex: Male
Address: 44519 BRIARWOOD DR	Height: 6ft 5 in	Weight: 280.0 lbs.
Lorain OH 44053	Eyes: Brown	Hair: Brown
Primary Phone: [REDACTED]	SSN: [REDACTED]	DVL #: [REDACTED]
Resident Type: Non Resident	Resident Status: Other Status	DOB: 04/16/1969
Disposition:	Date:	Age: 51
		State: OH
		Statement Type: Verbal
		Custody Status:

#### Related Offenses

Group/ORI	Crime Code	Statute	Description
State	23H	2913.02	Theft

#### Related Weapons

#### Victim/Offender Relationship

Transported By:	Extent of Injury:	Hospital:
Domestic Violence:	Domestic Violence Referrals:	Federal Agencies Involved:
Condition:	Medical Treatment:	

#### Missing Person Information

#### Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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## Cleveland Division of Police Detail

Print Date/Time: 11/26/2020 11:58  
 Login ID: butlersh  
 Case Number: 2020-00321675

Cleveland Division of Police  
 ORI Number: OHCLP0000

### Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
10/11/2020	Stolen	Cash / Currency			TEN THOUSAND DOLLARS OF U.S. CURRENCY		

Seq # 1

Tag Number:

Item Number:

Property Codes:

Property Type:

Cash / Currency

Property Class:

Cash / Currency

Date Received:

10/11/2020

Stolen

UCR Value:

Initial Value:

\$10,000.00

Stolen Location:

Airport/Seaport

Quantity:

Unit of Measure:

Measurement Source:

Description: TEN THOUSAND DOLLARS OF U.S. CURRENCY

Officer Remarks:

Make:

Model:

Style:

Style Desc:

Year:

OAN:

Serial #:

Color:

Condition:

Reg. Type:

Reg. ORI:

Reg. Number:

Reg. State:

Reg. Year:

Reg. Date:

Reg. Expiration:

### Recovery Information

Location:

Date:

Code:

Value:

RFOJ?:

ORI:

Recovered Address:

### Associated Subjects

Type	Name	Address	Phone	Notified How	Date
Owner	McCall, George L	44519 BRIARWOOD DR Lorain, OH 44053	[REDACTED]		

Insurance Company:

Policy Number:

Lein Holder:

### Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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### Routing:

- ☐ Detective Bureau
- ☐ Sex Crimes
- ☐ Homicide
- ☐ Prosecutor's Office

## Original Narrative

### **THEFT**

Sir,

On Sunday, 10-11-20, at approximately 1326 hours, I received an assignment to respond to the Frontier ticket counter in connection with missing money. I responded, activated by WCS 2765, and met with the victim, George McCall.

Mr. McCall reports that on October 2, 2020, he traveled to Cleveland Hopkins Airport and checked in his hard shell suitcase, black in color which contained ten thousand dollars in U.S. currency. There were two stacks of five thousand dollars; all one hundred dollar bills which were inside the right side pocket of his blue jogging pants which was packed inside the suitcase with all his other belongings. The victim further stated that he traveled alone and arrived at his hotel (Bally's) in Las Vegas. Victim unpacked his suitcase and hung up his clothes the then looked in the pockets of his jogging pants and discovered his ten thousand dollars missing. The victim called Frontier Airlines an hour later and they informed him that he will have to file a claim when he returns to Cleveland. The victim proceeded to enjoy his stay in Las Vegas and he returned to Cleveland on Sunday, October 4, 2020. The victim stated that he got in touch with TSA's Donald Kemer about the missing money on October 5, 2020 and Mr. Kemer provided the victim with a link to download a claim form which he and his fiancé, Betty J. Quattlebaum, did and he completed and submitted it. On today's date, October 11, 2020, the victim traveled to Cleveland Hopkins Airport to complete a CPD "Theft" report and in addition, he spoke with a Frontier supervisor and Reporting Person, Hassan Zahoor, who assisted Mr. McCall in how to file a "pilferage claim" which is a claim form for checked baggage that is missing items. I informed Mr. McCall that it is undetermined where this money has gone missing. Victim showed me an email that was sent by TSA on October 7th tell him, in part, that TSA has looked through their camera system and found no evidence of wrongdoing in the handling of his bag and no evidence that anyone took any money from his bag. Victim flew to Las Vegas on Frontier Airlines flight number F92015 and he left Cleveland at 10:34 PM and arrived in Las Vegas at 11:59 PM. Victim returned to Cleveland on October 4, 2020 on flight number F92014 and arrived in Cleveland at 1:01 PM.

No Suspects / No Arrests

Respectfully request First District Detective Bureau to follow up.

SDCO.DD

20-321675

10-13-20



91 7190 1552 0709 1258 3661

2021 CVF 003034  
US DEPT HOMELAND SECURITY  
CLAIMS MANAGEMENT BRANCH  
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2021 CVF 003034  
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ARLINGTON, VA 20598

CVSUMMACT



EARL

C. JUS. P. & CEN  
1200 ONT,  
CLEVELAND, OH 44113-1669

CERTIFIED MAIL

DFU # 902  
DHS PROS SCREENING  
and Quality Assurance

Mar 24 2021

Notice of Mail  
and Parcel Inspection

9171301552070312583551

3/24/2021 11:07:18 AM

Processed By: DSK-7070-030

6009  
Delivery Point  
5th flr/57015

L-1A L



U.S. POSTAGE & METS BOWES  
ZIP 44113 \$006.26  
02 1W  
0001399548MAR 19 2021